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BAKER BOTTS LLP 2001 ROSS AVENUE 6TH FLOOR DALLAS, TX 75201			ROSSI, JESSICA	
			ART UNIT	PAPER NUMBER
			1733	
DATE MAILED: 12/10/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/880,365

**Applicant(s)**

HANNA, MARK B.

**Examiner**

Jessica L. Rossi

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11/4/04, RCE.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 12-14 and 25-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 12-14 and 25-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/4/04</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Prosecution Application***

1. The request filed on 11/4/04 for a RCE under 37 CFR 1.114 based on parent Application No. 09/880,365 is acceptable and a RCE has been established. An action on the RCE follows.

### ***Status of Claims***

2. Non-elected claims 15-24 were cancelled in the examiner's amendment dated 8/6/04. Claims 12-14 and 25-33 were allowed in the examiner's amendment dated 8/6/04 but have been withdrawn from allowance upon the discovery of prior art that anticipates and/or renders obvious Applicant's claimed invention.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 11/4/04 was considered by the examiner. Note the 09/938,692 application listed on p. 2 was crossed off because it is already listed on p. 1.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 12-14 and 25-33 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for a method of bonding a window to a frame via a sealing section comprising glass material to make a DMD (digital micromirror device), does not reasonably provide enablement for a method of bonding a window to a frame via a sealing section comprising glass material in any other environment (i.e. cathode ray tube, window

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glazing unit, flat panel display, etc. – see US 3589881, US 2768475, US 6172457). The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with these claims.

To reiterate, the present specification only discloses the claimed method steps of bonding a window to a frame via a sealing section comprising glass material in relation to making a DMD. However, as evidenced by the references cited above, such method steps are known in a variety of environments for making a variety of products – none of which Applicant's present specification even teaches or suggests. Therefore, the present specification clearly does not have support for bonding a window to a frame in these other environments, which Applicant's present claims do not exclude.

The examiner suggests amending claim 12 to include a preamble that sets forth Applicant's environment (i.e. "A method of making a Digital Micromirror Device, comprising the steps of"). Note that inclusion of such a preamble would also require including a step of providing the DMD within a housing to which the frame is attached since the present method steps alone do not make a digital micromirror device and therefore would raise 112 2<sup>nd</sup> paragraph issues.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 12-14 and 25-33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Regarding claims 12-14, it is unclear what Applicant means by first and second glass materials which are different (claim 12, line 17-18), a third glass material which is different from each of the first and second glass materials (claim 13, lines 2-3), and a fourth glass material which is different from each of the first and second glass materials (claim 14, lines 2-3). What does Applicant mean by "different"? Applicant is asked to clarify.

It is noted that the present specification only refers to the catalog numbers assigned to the glass materials and not the composition of the materials themselves (p. 15, lines 18-21, p. 16, lines 22-24, and p. 17, lines 26-29) and therefore Applicant must be careful that any amendments to claims 12-14 do not raise new matter issues.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 12 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Seelen et al. (US 2768475; of record).

With respect to claim 12, Seelen teaches providing a glass window 11 that is transmissive to radiation (column 2, lines 50-54), providing a metal frame 13 that has an opening through it (note that frame extends around entire periphery of window; Figure 1; column 2, 60-62), providing an annular sealing section (glass materials 19 and 20) between and in contact with the window and frame wherein the sealing section extends completely around the opening (Figures 1 and 5-6; column 3, lines 13-18 and 65-67), heating the window, frame, and sealing section to a

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selected temperature at which the sealing section has melted (column 5, lines 5-32), the selected temperature being lower than melting temperatures of the window and frame (column 4, lines 12-16), and cooling the window, frame, and sealing section to solidify the sealing section thereby forming a hermetic seal (column 5, lines 25-48; column 1, lines 12-14).

The reference teaches the sealing section having first glass material 20 (column 5, lines 8-12) which is different from second glass material 19 (column 3, lines 7-12), wherein the first glass material 20 is an annular portion of the sealing section that extends around the opening of the frame in contact with the window and spaced from the frame and the second glass material 19 is an annular portion of the sealing section that extends around the opening of the frame in contact with the frame and spaced from the window, wherein the first and second glass materials contact each other (Figures 4-7).

The examiner would like to point out that the reference does not expressly state that the second glass material 19 melts during the heating step. However, the reference teaches the first glass material 20 could also be the same glass material as that used for second glass material 19 (column 5, lines 8-10; column 4, lines 65-69), where heating up to about 750°C partially melts glass material 20, whether it's the same or different from glass material 19, thereby leaving the skilled artisan to readily appreciate that second glass material 19 must also experience some melting during this heating step of up to about 750°C.

Regarding claim 25, Seelen teaches the frame being metal (column 2, lines 60-62) and oxidizing the surface of the frame to be engaged by the sealing section (column 3, lines 7-12).

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seelen et al. as applied to claim 25 above and further in view of Applicant's information disclosure statement, paper no. 2, filed 6/13/01.

Regarding claim 3, selection of a particular metal for the frame would have been within purview of the skilled artisan at the time the invention was made. However, it would have been obvious to use ASTM F15 steel because such is known in the art, as disclosed by Applicants.

12. Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seelen et al. as applied to claim 25 above and further in view of Seelen (US 2708774; of record).

Regarding claims 27 and 29, Seelen '475 teaches heating the frame in an oxidizing atmosphere but is silent as this atmosphere being a wet nitrogen atmosphere. It would have been obvious to the skilled artisan to oxidize the frame of Seelen '475 in a wet nitrogen atmosphere because such is known in the art, as taught by Seelen '774 (column 3, lines 67-72).

Regarding claims 28 and 30, selection of heating temperatures and times would have been within purview of the skilled artisan depending on the materials used.

13. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Seelen et al. '475 as applied to claim 12 above, and further in view of Turcotte et al. (US 6461537; of record).

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Regarding claim 31, Seelen teaches using the glass and frame assembly in a vehicle and therefore it would have been obvious to use borosilicate glass for the window because such is known in the vehicle window art, as taught by Turcotte (column 5, lines 21-25), where this type of glass imparts certain characteristics to the finished product.

14. Claims 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seelen et al. as applied to claim 12 above, and further in view of McCurdy et al. (US 6265076; of record).

Regarding claim 32, Seelen is silent as to the glass having an anti-reflective coating. It would have been obvious to provide the glass of Seelen with an anti-reflective coating because such is known in the art, as taught by McCurdy (column 1, lines 12-18), where such improves the optical properties of the glass. Selection of a side to place the coating thereon would have been within purview of the skilled artisan at the time the invention was made.

Regarding claim 33, selection of a particular type of anti-reflective coating would have been within purview of the skilled artisan at the time the invention was made.

15. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita (JP 61-36969 w/ written translation; of record) in view of Mahulikar et al. (US 4704626).

With respect to claim 12, Yamashita is directed to making a semi-conductor solid image pickup device. The reference teaches providing a glass window 6 that is transmissive to light, providing a metal frame 15 that has an opening through it, and providing an annular sealing section 7 between and in contact with the window and frame such that the sealing section extends completely around the opening wherein the sealing section is a 'lower melting point glass' (Figure 1; p. 3, 4<sup>th</sup> paragraph of translation).



The reference is silent as to heating the window, frame and sealing section to a selected temperature at which the sealing section has melted, wherein the selected temperature is lower than melting temperatures of the frame and window, cooling the window, frame and sealing section, and the sealing section having first and second glass materials that are different.

One reading the reference as a whole would have appreciated that the reason for using the sealing section of Yamashita comprising a 'lower melting point glass' is because such a material has a lower melting point than the window and frame so as not to damage these components during heating thereof; therefore, it would flow that the window, frame, and sealing section of Yamashita are heated to melt the sealing section and bond the window and frame together.

Furthermore, the skilled artisan would have appreciated that cooling of the window, frame, and sealing section of Yamashita would take place upon termination of the heating step. However, if it is not taken that such cooling does take place, it would have been obvious to the skilled artisan to facilitate cooling of the window, frame, and sealing section because this would expedite the process and only the expected results of solidifying the sealing section to form a hermetic seal between the window and frame would have been achieved.

It is known in the semi-conductor device art to bond a lid 12 to a base member 14 using a sealing section comprising first glass material 18 and second glass material 20 having different coefficients of thermal expansion (CTE), wherein the high CTE of the first glass material 18 is similar to that of base member 14 while the low CTE of the second glass material 20 is similar to that of lid 12, as taught by Mahulikar (Figure 1; column 2, lines 33-34; column 6, lines 44-66; column 7, lines 1-5 and 37-40 and 60-62).

Muhulikar teaches applying first glass material 18 to the base member, applying second glass material 20 to the lid, contacting the first and second glass materials to each other, and heating the lid, base member and glass materials to the melting temperature of the glass materials, which is lower than the melting temperatures of the lid and base member, such that the glass materials diffuse into each other to form the graduated layers of interface zone 22 (column 7, lines 2-5; column 8, lines 23-29). The composition and density of each layer at zone 22 forms a smooth, graduated gradient of CTE's between the CTE of glass material 18 and the CTE of glass material 20, which accommodates and relaxes thermal stresses that are generated between semi-conductor package materials having different CTE's, such as glass and metal (column 8, lines 30-35; column 4, lines 29-33; column 6, lines 28-32).

Therefore, it would have been obvious to the skilled artisan at the time the invention was made to use first and second glass materials having different CTE's for the sealing section 7 of Yamashita, wherein the low CTE glass material forms an annular portion that extends around the opening of the metal frame in contact with the glass window and spaced from the frame and the high CTE glass material forms an annular portion that extends around the opening of the frame in contact with the frame and spaced from the window, with the high and low CTE glass materials contacting each other because such is known in the art, as taught by Muhulikar, and fusion of the glass materials results in a zone having layers that form a smooth, graduated gradient of CTE's between the high and low CTE's of the glass materials thereby accommodating and relaxing thermal stresses that are generated between the glass window and metal frame of the semi-conductor package.

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16. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Mahulikar et al. as applied to claim 12 above, and further in view of Robichaud et al. (US 6261867; of record).

Regarding claim 25, Yamashita teaches the frame being metal (p. 3, last paragraph).

Yamashita is silent as to oxidizing the frame. It would have been obvious to oxidize the frame of Yamashita prior to sealing because such is known in the art, as taught by Robichaud (column 4, line 66; column 5, lines 2-5), where this enhances the bonding properties of the metal.

17. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita, Mahulikar et al., and Robichaud et al. as applied to claim 25 above, and further in view of Applicant's information disclosure statement, paper no. 2, filed 6/13/01.

Regarding claim 26, selection of a particular metal for the frame would have been within purview of the skilled artisan at the time the invention was made. However, it would have been obvious to use ASTM F15 steel because such is known in the art, as disclosed by Applicants.

18. Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita, Mahulikar et al., and Robichaud et al. as applied to claim 25 above, and further in view of Seelen et al. '774.

Regarding claims 27 and 29, Robichaud teaches oxidizing in a nitrogen environment within a furnace (column 5, lines 2-5) but is silent as to a wet nitrogen or hydrogen furnace. Seelen teaches oxidizing a metal frame in a wet nitrogen and hydrogen environment (column 3, lines 68-72) before bonding the frame to a glass window by means of a sealing section but is silent as to heating in a furnace. It would have been obvious to one of ordinary skill in the art at the time the invention was made perform the oxidation process in a wet nitrogen or hydrogen

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environment because such is known in the art, as taught by Seleen, where such facilitates oxidation.

Regarding claims 28 and 30, selection of heating temperatures and times would have been within purview of the skilled artisan depending on the materials used.

19. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Mahulikar et al. as applied to claim 12 above, and further in view of Matsuda et al. (US 4812420; of record).

Regarding claim 31, Yamashita teaches the window being glass, but is silent as to the glass being borosilicate. Selection of a particular glass would have been within purview of the skilled artisan. However, it would have been obvious to use borosilicate glass because such is known in the art, as taught by Matsuda (column 5, lines 39-41).

20. Claims 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Mahulikar et al. as applied to claim 12 above, and further in view of Poradish et al. (US 5293511; of record).

Regarding claim 32, Yamashita is silent as to the window having an anti-reflection coating. It would have been obvious to provide the window of with an anti-reflection coating on the side of the window facing the frame because such is known in the art, as taught by Poradish (Figure 1; column 6, lines 35-44), where such improves the optical qualities of the window.

Regarding claim 33, selection of a particular type of anti-reflective coating would have been within purview of the skilled artisan at the time the invention was made.

21. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita in view of Langley et al. (US 3589881).

With respect to claim 12, Applicant is directed to paragraph 15 above for a complete discussion of Yamashita.

It is generally known in the art to form hermetic glass seals that unite or enclose a variety of devices in electronic equipment, as taught by Langley (column 1, lines 23-25). Many of these devices are expensive and fragile and therefore it would be desirable to provide a hermetic seal that can be opened without damaging the components, as taught by Langley (column 1, lines 34-35).

Therefore, Langley teaches providing a low-melting glass sealing section 15 (column 2, lines 67-68) between glass cover 12 and metal base 11 (column 4, lines 46-47), which can be opened simply and non-destructively (column 2, lines 5-7), wherein the sealing section comprises a first palladium-containing glass material 17 being an annular portion of the sealing section 15 that extends around the metal base in contact with the glass cover and spaced from the metal base (column 4, lines 46-55) and a second fused metal oxide glass material 16, **comprising glass materials different from those comprising first glass material 17** (column 4, lines 43-45; column 6, lines 60-69), being an annular portion of glass sealing section 15 that extends around the metal base in contact with the metal base and spaced from the glass cover, with the glass materials contacting each other (Figure 2; column 2, lines 60-68; column 3, lines 9-12; column 4, lines 4-7; column 5, lines 52-60).

Langley teaches forming the glass seal by heating the cover, base and sealing section to the melting temperature of the glass materials, which is lower than the melting temperatures of the cover and base (column 4, lines 33-37; column 3, lines 25-26). The key to Langley's invention is that the presence of palladium in the sealing section 15 allows for the simple and

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non-destructive opening thereof by subjecting the sealing section to hydrogen at atmospheric pressure and room temperature (column 2, lines 5-23; column 5, lines 60-65).

Therefore, it would have been obvious to the skilled artisan at the time the invention was made to use a first palladium-containing glass material and a second glass material, which is different from the first glass material, for the 'lower melting point glass' sealing section 7 of Yamashita, wherein the first palladium-containing glass material forms an annular portion that extends around the opening of the metal frame in contact with the glass window and spaced from the metal frame and the second glass material forms an annular portion that extends around the opening of the metal frame in contact with the metal frame and spaced from the glass window, with the glass materials contacting each other because such is known in the electronic device art, as taught by Langley, and the presence of palladium in the glass sealing section allows for the simple and non-destructive opening thereof without damaging the components.

22. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Langley et al. as applied to claim 12 above, and further in view of Robichaud et al.

Regarding claim 25, Yamashita teaches the frame being metal (p. 3, last paragraph). Yamashita is silent as to oxidizing the frame. It would have been obvious to oxidize the frame of Yamashita prior to sealing because such is known in the art, as taught by Robichaud (column 4, line 66; column 5, lines 2-5), where this enhances the bonding properties of the metal.

23. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita, Langley et al., and Robichaud et al. as applied to claim 25 above, and further in view of Applicant's information disclosure statement, paper no. 2, filed 6/13/01.

Regarding claim 26, selection of a particular metal for the frame would have been within purview of the skilled artisan at the time the invention was made. However, it would have been obvious to use ASTM F15 steel because such is known in the art, as disclosed by Applicants.

24. Claims 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita, Langley et al., and Robichaud et al. as applied to claim 25 above, and further in view of Seelen et al. '774.

Regarding claims 27 and 29, Robichaud teaches oxidizing in a nitrogen environment within a furnace (column 5, lines 2-5) but is silent as to a wet nitrogen or hydrogen furnace. Seelen teaches oxidizing a metal frame in a wet nitrogen and hydrogen environment (column 3, lines 68-72) before bonding the frame to a glass window by means of a sealing section but is silent as to heating in a furnace. It would have been obvious to one of ordinary skill in the art at the time the invention was made perform the oxidation process in a wet nitrogen or hydrogen environment because such is known in the art, as taught by Seelen, where such facilitates oxidation.

Regarding claims 28 and 30, selection of heating temperatures and times would have been within purview of the skilled artisan depending on the materials used.

25. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Langley et al. as applied to claim 12 above, and further in view of Matsuda et al. (US 4812420; of record).

Regarding claim 31, Yamashita teaches the window being glass, but is silent as to the glass being borosilicate. Selection of a particular glass would have been within purview of the

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skilled artisan. However, it would have been obvious to use borosilicate glass because such is known in the art, as taught by Matsuda (column 5, lines 39-41).

26. Claims 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita and Langley et al. as applied to claim 12 above, and further in view of Poradish et al. (US 5293511; of record).

Regarding claim 32, Yamashita is silent as to the window having an anti-reflection coating. It would have been obvious to provide the window of with an anti-reflection coating on the side of the window facing the frame because such is known in the art, as taught by Poradish (Figure 1; column 6, lines 35-44), where such improves the optical qualities of the window.

Regarding claim 33, selection of a particular type of anti-reflective coating would have been within purview of the skilled artisan at the time the invention was made.

***Allowable Subject Matter***

27. Claims 13-14 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Regarding claim 13, the prior art fails to teach or suggest these limitations.

Regarding claim 14, US 5837562 to Cho teaches making a semi-conductor device by hermetically sealing cover 10 to base 12 using an non-glass adhesion layer 18" (column 5, lines 37-39) to form a housing and providing a glass sealing material 14" (column 5, lines 52-55) in contact with the cover and base and being disposed on the side of the adhesion layer remote from the interior of the housing.



Even if the skilled artisan would have been motivated by the teaching of Cho to provide a glass material that extends around the opening of the frame of Yamashita in contact with the frame and window and being disposed on the side of the first and second glass materials remote from the opening in the frame, it is noted that this claim depends from claim 13.

### *Conclusion*

28. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5528100 to Igeta et al. (provided in IDS filed on 11/4/04) teaches providing a glass film 14 (softening temp about 660°C; column 3, lines 7-10; column 6, lines 50-60) on a metal frame 7a, providing glass frit 15 on glass cover 4, contacting the film and frit, and heating to about 440°C to melt the glass frit and bond the cover to the frame (column 4, lines 54-58; column 6, lines 44-60). While Igeta may teach a sealing section comprising first and second glass materials that are different, the skilled artisan would have appreciated that the reference fails to teach or suggest heating to a selected temperature at which the sealing section has melted, and in fact teaches away from such, because heating takes place up to about 440°C and the glass film 14 only softens at about 660°C.

29. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Jessica L. Rossi** whose telephone number is **571-272-1223**. The examiner can normally be reached on M-F (8:00-5:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine R. Copenheaver can be reached on 571-272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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Jessica L. Rossi  
Art Unit 1733